

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STOCKTON REAFFIRMING AND REENACTING PREVIOUSLY APPROVED AND AUTHORIZED WATER, SEWER, SOLID WASTE COLLECTION, AND STORMWATER SERVICE RATES AND SERVICE CHARGES AND ANY INCREASES AND ADJUSTMENTS RELATED THERETO

The City Council of the City of Stockton (the "City") previously approved its water, sewer, solid waste collection, and stormwater service rates and service charges by resolutions approved by the members of the City Council; and

Pursuant to California Health and Safety Code section 5473 et seq., the City has the authority to elect to have its water, sewer, solid waste collection, and stormwater service charges, and any such delinquent service charges and applicable penalties, collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes; and

In enacting these provisions of the Health and Safety Code, the Legislature found and declared that: Californians want their governments to be run efficiently and economically and that public officials should avoid waste and duplication whenever possible; and it desired to control costs by reducing the number of separate bills received by customers; and

It is more efficient and economical for the City to enforce the collection of delinquent service charges and applicable penalties by placing a lien on the property for which delinquent service charges and any penalties are due and owing by the record owner; and

Collecting delinquent service charges and any applicable penalties on the tax roll benefits all ratepayers by improving the City's ability to collect such delinquent charges and penalties, thereby increasing the City's service charge revenues for its utilities and reducing the need to increase the amount of any such rates and service charges for City utility customers; and

The City Council has determined to avail itself of the authority to collect delinquent water, sewer, solid waste collection, and stormwater service charges and any applicable penalties related thereto on the tax roll; and

To avail itself of this authority the City Council has determined to reaffirm and reenact the City's water, sewer, solid waste collection, and stormwater service rates and service charges that are currently in effect, and any adjustments and increases to such rates and service charges as previously adopted and authorized by the City Council pursuant to resolution numbers 2016-06-28-1601, 10-0277, 03-0282, and 95-0304, respectively (collectively, the "Resolutions"); and

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS
FOLLOWS:

2. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Council has determined that the water, sewer, solid waste collection, and stormwater service rates and service charges are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines and Public Resources Code section 21080(b)(8) because: (i) the service charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (ii) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. The documents and materials that constitute the record of proceedings on which these findings have been based are located in the Office of the City Clerk located at 425 N. El Dorado Street, Stockton, CA 95202. The custodian for these records is the City Clerk.

3. If any section, subsection, subdivision, sentence, clause, or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

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4. The City Manager is authorized to take such other actions as are appropriate to carry out the intent of this Resolution.

5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED March 20, 2018.

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

BRET HUNTER, CMC
City Clerk of the City of Stockton